## SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA Montana Seventh Judicial District Court, County of Richland

CAUSE NO. DC-17-102
ORDER OF DISMISSAL

On November 5, 2018, Defendant's deferred sentence for Burglary was revoked and he was sentenced to the Department of Corrections for five (5) years, with three (3) suspended. Defendant received credit for time served of 200 days.

On February 21, 2019, Defendant appeared before the Sentence Review Division at the time set for a hearing to review his sentence. Defendant was present with his attorney Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the application, the Defendant was advised that the Sentence Review Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Sentence Review Division. The Defendant acknowledged that he understood this and stated that he did not wish to proceed. Having conferred with his attorney, he confirmed that he wished to waive his right to Sentence Review.

Therefore, it is the unanimous decision of the Sentence Review Division that the Defendant **WAIVED** his right to review of sentence and his Application is **DISMISSED WITH PREJUDICE**.

Cause No. «Case\_No» Sentence Review Division Page 2

Done in open Court this 21st day of February, 2019.

DATED this day of

2019

SENTENCE REVIEW DIVISION

Hon. Brenda Gilbert, Chairperson

Hon. Dan Wilson, Member

Hon. Luke Berger, Member

Copies mailed this 26 day of 2019, to:

Clerk of District Court (Original)

William Lee Lester #3023229, Defendant (2)

Hon. Katherine Bidegaray

Brent Getty, Defense Counsel

Janet P. Christofferson, Esq.

Board of Pardons and Parole

MSP - Records Dept.

Georgia Lovelady, Judicial Assistant

Sentence Review Division